

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BLUEFIELD

CAI DESIGN INC.,

Plaintiff,

v.

CIVIL ACTION NO. 1:20-00242

PHOENIX FEDERAL #2 MINING LLC,  
et al.,

Defendants.

**MEMORANDUM OPINION AND ORDER**


Pending before the court is plaintiff's unopposed motion to reschedule the pretrial conference. (ECF No. 90.) Alternatively, plaintiff seeks permission to allow an attorney who is not its lead trial counsel to appear at the pretrial conference. For good cause shown, the motion is **GRANTED** in part.

This case was filed over two years ago. The court has revised the scheduling order multiple times to allow the parties to attempt to reach a resolution. Therefore, the court will not reschedule the pretrial conference. The court will, however, allow plaintiff to be represented at the pretrial conference by an attorney who is not its lead trial counsel.

The Clerk is directed to send a copy of this Memorandum Opinion and Order to counsel of record and any unrepresented parties.

**IT IS SO ORDERED** this 13th day of May, 2022.

ENTER:

A handwritten signature in black ink, reading "David A. Faber", is written over a horizontal line.

David A. Faber

Senior United States District Judge